



Atty. Dkt. No. 083847-0235

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chad A. MIRKIN et al.
Title: PEPTIDE AND PROTEIN
ARRAYS AND DIRECT-
WRITE LITHOGRAPHIC
PRINTING OF PEPTIDES AND
PROTEINS

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Appl. No.: 10/788,414

Filing Date: 3/1/2004

Examiner: Lum, Leon Yun Bon

Art Unit: 1641

Confirmation 4969
Number:

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicants respond to the August 24, 2006 restriction requirement and petition for a two month extension of time.

The applicants provisionally elect with traverse:

1) species *i* (reproducibility) from group A (type of improvement); see, for example, claims 2 and 42.

2) species *i* (inhibit protein adsorption) from group B (type of modification); see, for example, claims 5, 37-39, 44, and 84-89.

3) species *i* (low molecular weight polyalkylene glycol compounds) from group C (type of chemical agent); see, for example, claims 7 and 46.

3a) subspecies *ii* (chemisorb to the protein); see for example claims 19 and 57.

4) species *i* (scanning probe nanoscopic tip) from group D (type of tip); see, for example, claims 14, 52 and 84-86.

5) species *i* (dot) from group E (type of pattern); see for example claims 21, 59, 92, 115, 118-119 and 123-138.

6) species *xiv* (antibody) from group F (type of peptide/protein); see, for example, claim 80.

7) species *ii* (improves peptide deposition) from group G (type of additive); see, for example, claim 81.

8) species *i* (nanoparticle labels) from group H (type of analysis); see, for example, claim 103.

Most of the claims are generic, and the Examiner has already indicated that Claims 1, 17, 23-27, 61-65, 68, 71-72, 82-83, 100-102, 105-109, 112-114, 117, 120-122, 139-140 are generic. Other generic claims are believed to include, for example, claims 11-13, 18-20, 34-36, independent claim 40, and 55-58. If the Examiner would like to review these elections further, he is respectfully requested to contact the undersigned.

The applicants specifically traverse each basis set forth by the PTO to support the election of species requirement, including pages 2-6 of the office action. The applicants believe all the claims can be effectively searched and examined without serious burden to the examiner.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or any other provision, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 9, 2006

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